IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.525 OF 2005
IN
WRIT PETITION NO.1728 OF 2004

Ranvijay Sureshchandra .. Petitioner
v/s.
Dnyan Sampada High School and others .. Respondents

In chamber at 2.35 p.m.

Mr. Neel Helekar for the petitioner.
Mr. L.T. Satelkar, Assistant Government Pleader for the respondent No.2.
Mr. G.S. Godbole for the respondent Nos.1 and 3.

CORAM : F.I. REBELLO, J.
DATED : 19TH APRIL, 2007

P.C.

Heard the learned counsel for the parties. The stand of the respondent-State was that they were not bound to pay for two persons. That issue has been resolved. On behalf of the Management, the learned counsel makes a statement that in so far as Shri Tiwari is concerned, they have already deposited the amount. He further makes a statement that for the period for which the salary grant is released in favour of Shri Ranvijay Sureshchandra, they will not apply for any salary grant towards the claim of Shri Tiwari for the corresponding period. In our opinion, this would meet the concern expressed on behalf of the respondents that they are not bound to

pay salary for two persons.

2. On behalf of the Management, the learned counsel points out that the petition filed by the Management has been disposed of. It is possible that the Management or Shri Tiwari may challenge the order, if aggrieved. To that extent, that challenge in those petitions are left open to be considered while disposing of this motion.

In the light of that, the following order:-

> The respondent-State to release salary grant in favour of the Management towards payment of salary grant for the period for which Ranvijay Sureshchandra is entitled to. The Management will not claim any grant for Shri Tiwari for the same period.

2. With the aforesaid observation, motion disposed of. If any amount has already paid by the Management towards the dues of Ranvijay Sureshchandra, it will be open to the Management to deduct the same from the grant received from the Government towards the salary dues of Ranvijay Sureshchandra or in the alternative Shri Sureshchandra to refund to the management any amount he may have received for that period. The payment be made within 12 weeks from today.

(F.I. REBELLO, J.)